

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 19, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Robin Hendricksen, Deputy County Assessor
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

Absent: Kerry Eagan, Chief Administrative Officer

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 12, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Heier moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated June 12, 2001. Campbell, Hudkins, Workman and Heier voted aye. Stevens abstained. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 19 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Hudkins moved and Heier seconded approval. Heier, Campbell, Hudkins and Workman voted aye. Stevens abstained. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Pius X High School
St. Teresa Church**

MOTION: Workman moved and Heier seconded approval of motor vehicle tax exemptions for Pius X High School and St. Teresa Church. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **APPEAL OF TAXABLE STATUS:**

Village of Bennet (Parcel I.D. 21-11-108-008-000)

Robin Hendricksen, Deputy County Assessor, explained that the parcel is a city park and recommended that the protest be granted and the property exempted.

MOTION: Heier moved and Workman seconded to grant the protest and exempt the property for the Village of Bennet (Parcel I.D. 21-11-108-008-000). Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **ADJOURNMENT**

MOTION: Hudkins moved and Workman seconded adjournment of the Board of Equalization meeting. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
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TUESDAY, JUNE 19, 2001
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Commissioners Present: Kathy Campbell, Chair
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Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

Absent: Kerry Eagan, Chief Administrative Officer

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 12, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated June 12, 2001. Campbell, Hudkins, Workman and Heier voted aye. Stevens abstained. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, June 19, 2001.**

Campbell stated there were three claims which were questionable and requested David Johnson, Deputy County Attorney, to give a brief explanation.

Johnson stated the first claim was from the County Extension Office. He indicated he needed additional information regarding the claim and requested it be removed.

MOTION: Workman moved and Heier seconded to remove the County Extension Office claim. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

2) **CLAIMS CONTINUED:**

The second claim, Johnson stated, was not filed within the statutory time of 90 days, however, he noted that the County Board does have the discretion to approve the claim after the time period.

Campbell stated the claim was for reimbursement of mileage to Gary Chalupa, County Veterans Service Officer, during the period of October, 2000 through February, 2001. She added that the money was budgeted.

Johnson stated the final claim was for Families First and Foremost regarding flex funds and a payment to Child Guidance. He explained that his office is working on a contract for flex funds in connection with Families First and Foremost.

Campbell suggested withdrawing the claim and contacting Sheryl Schrepf, Project Director with Families First and Foremost, to present a briefing regarding the claim and the agreement at the staff meeting to be held on Thursday, June 21st.

MOTION: Hudkins moved and Heier seconded to withdraw the claim from Families First and Foremost and place it on the staff meeting agenda for further discussion. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

MOTION: Hudkins moved and Heier seconded to approve the remaining claims processed through Tuesday, June 19, 2001 as presented. Workman, Heier, Campbell and Hudkins voted aye. Stevens abstained. Motion carried.

3) **PUBLIC HEARINGS:**

A. Issuance, Sale and Delivery of Revenue Bonds of Hospital Authority Number 1 of Lancaster County, Nebraska for Madonna Rehabilitation Hospital, in an amount not to exceed \$1,750,000, to finance computer hardware and software equipment at its healthcare facility located at 5401 South Street in the City of Lincoln, for patients in the service area of Madonna.

The Chair opened the public hearing and asked if anyone wished to provide testimony.

Lauren Wismer, bond counsel, appeared and introduced Victor Witkowicz, Chief Financial Officer for Madonna Rehabilitation Hospital.

4) **PUBLIC HEARINGS CONTINUED:**

Wisner explained that the County Board is required, under the terms of the Internal Revenue Code, to issue bonds on behalf of 501C-3 entities. He stated the bonds would be issued by the Hospital Authority, in the amount of \$1,500,000. Witkowicz stated the funds, along with internal hospital funds, would be used to purchase hardware and software relating to their information infrastructure. He stated the total cost of the project would be 4.2 million dollars over a five year period.

In response to a question asked by Workman, Wisner stated the County would not be held liable.

Workman inquired about the interest rate.

Witkowicz responded that the rate would be 5.4 percent.

In response to a question asked by Campbell, Wisner stated Jan Gauger, Jim Mastera, Richard Hammer, Marilyn Borchardt, Jim Linderholm and Nancy Stara serve on the Hospital Authority.

The Chair closed the public hearing.

4) **OLD BUSINESS:**

A. An agreement with the State of Nebraska, Department of Education regarding the school lunch program at the Juvenile Detention Center. (C-01-278)

David Johnson, Deputy County Attorney, stated the State of Nebraska recently conducted an audit of the County's meal programs and they have indicated the programs are in compliance with Federal guidelines.

MOTION: Hudkins moved and Heier seconded approval. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

5) **NEW BUSINESS:**

- A. A resolution approving the issuance, sale and delivery by Hospital Authority No. 1 of Lancaster County, Nebraska for the benefit of Madonna Rehabilitation Hospital in an amount not to exceed \$1,750,000. (R-01-48)**

MOTION: Workman moved and Hudkins seconded approval of Resolution 01-48. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- B. A natural gas consortium agreement with the City of Lincoln, Public Building Commission and Lincoln Public Schools to collectively pursue competitive natural gas purchasing strategies. The County shall contribute \$2,000 plus \$775 for additional fees and expenses for the consortium budget. The term of the agreement shall be for no more than four years from May 1, 2001. (C-01-279)**

MOTION: Heier moved and Hudkins seconded approval.

Workman asked if a consultant was being hired to investigate other sources of natural gas.

Diane Staab, Deputy County Attorney, stated the agreement was to form the consortium. If a decision was made to hire a consultant at a later date, she explained, it would have to be brought to each consortium member.

ROLL CALL: Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

- C. An agreement with the State of Nebraska Probation Administration to fund a Drug Court Probation Officer for adult offenders, in the annual amount of \$33,864. (C-01-290)**

Diane Staab, Deputy County Attorney, requested the agreement be deferred.

MOTION: Heier moved and Workman seconded to hold the agreement with the State of Nebraska Probation Administration until the County Attorney's Office places it back on the agenda. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- D. An agreement with Lancaster Rural Water District Number 1 of Bennet, Nebraska to adjust its water line facility as it relates to County Project C55-S-405(1) on South 54th Street. The County's estimated share of the cost is \$97,387 and shall not exceed \$110,800. (C-01-286)**

MOTION: Workman moved and Hudkins seconded approval. Heier, Workman, Campbell and Hudkins voted aye. Stevens abstained. Motion carried.

- E. Amendment to an agreement for Specification Number 98-025 with Hayes & Associates, L.L.C. for the performance of the annual audit of all County funds as required by statute. The amendment provides a three year renewal, at a cost to the County of \$26,000 for the year 2001, \$30,000 for 2002 and \$33,000 for the third year. (C-01-294)**

MOTION: Hudkins moved and Workman seconded approval. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- F. A resolution directing the County Engineer to conduct a study regarding the vacation of a portion of a County road located on West Davey Road approximately 2600 to 3300 Blocks west of 1st Street in Section 20-T12N-R6E, Road 1183, Lancaster County, Nebraska. (R-01-46)**

David Johnson, Deputy County Attorney, explained that he drafted a new resolution which includes reference to Neb. Rev. Stat. § 39-1723 regarding the petition process.

MOTION: Hudkins moved and Heier seconded approval of Resolution 01-46 with the inclusion of the additional language regarding Neb. Rev. Stat. § 39-1723. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

G. A resolution transferring appropriations from the General Fund Miscellaneous Budget to the following various General Fund agencies: (R-01-47)

- ▶ Sheriff, in the amount of \$68,000
- ▶ Emergency Services, in the amount of \$38,000
- ▶ General Assistance, in the amount of \$50,000

The Clerk read into the record the addition of District Court, in the amount of \$35,310.52.

Dave Kroeker, Budget and Fiscal Officer, gave a brief explanation regarding the transfer of appropriations.

MOTION: Hudkins moved and Workman seconded approval of Resolution 01-47. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

H. Recommendation from the Assistant Purchasing Agent and the Administrator of Lancaster Manor to award a request for proposal to Nebraska Occupational Health Center and Lincoln Physical Therapy Associates, P.C. for health assessments and back screening services. The award is for a three year contract with the option to renew for one additional three year term. Pricing for services rendered is outlined in the proposal documents. It is estimated the total annual cost of the services provided to the Manor will be \$13,000 to \$15,000. (B-01-29)

MOTION: Heier moved and Workman seconded approval. Campbell, Heier, Workman and Hudkins voted aye. Stevens abstained. Motion carried.

I. A subordination agreement with First National Bank of Omaha to subordinate an Economic Development Loan in the amount of \$250,000 with Weavers Potato Chip Company behind their loan. (C-01-295)

MOTION: Heier moved and Workman seconded approval.

5) **NEW BUSINESS CONTINUED:**

Tom Yaussi, Chief Financial Officer for Weaver's Potato Chip Company, appeared and stated they are projecting \$10,000,000 in sales, which would be a 100 percent increase over last year, due a new market they have entered. He explained they own the right to produce potato chips for 22 top university football teams and that they are currently working on a contract with the National Football League.

Yaussi also stated they are working on a new line of low carbohydrate snack foods. He stated it is a 3.4 billion dollar market and at the present time there is only one small supplier in that market.

Campbell stated the original intent of the loans was to save the jobs of a local company and local people.

ROLL CALL: Hudkins, Campbell, Stevens, Heier and Workman voted aye.
Motion carried.

J. Approval of extension of agreements with Midwest Roofing, Inc. and Weathercraft American Roofing Company. The extension is for one year from May 1, 2001 to April 30, 2002. The agreement provides unit prices for construction in city agencies and county departments. (C-01-296 & C-01-297)

The Clerk noted that the item was inadvertently included in the agenda.

K. Allowance Modifications for the new Lancaster County Election Commission Office located at 601 North 46th Street:

- ▶ **Allowance Modification Number 002** to add shelving for the storage of the ballot boxes. This will decrease the Contingency/Discovery Allowance by \$679. The new Contingency/Discovery Allowance will be \$12,787. (C-01-178 AM-01-02)
- ▶ **Allowance Modification Number 003** to add an electrical outlet in the island unit in Work Room 109 where a folding machine is anticipated to be located. The machine requires power to operate and will eliminate the need for an extension cord. This will decrease the Contingency/Discovery Allowance by \$448. The new Contingency/Discovery Allowance will be \$12,339. (C-01-178 AM-01-03)

MOTION: Hudkins moved and Workman seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

L. Request by Bruce Medcalf, County Clerk, to set the salary of Trish Owen, Deputy County Clerk, at \$50,000 per year, effective June 28, 2001.

MOTION: Heier moved and Hudkins seconded approval. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

M. Request by Terry Wagner, County Sheriff, to set the salary of Captain Joseph Lefler at \$58,233 per year, effective June 14, 2001.

MOTION: Workman moved and Heier seconded approval. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

N. A political subdivision tort claim filed against the Lancaster County Corrections Department by Daniel W. Zeiger, in the amount of \$397, for lost property.

MOTION: Workman moved and Heier seconded to approve a political subdivision tort claim filed against the Corrections Department by Daniel W. Zeiger, in the amount of \$106. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

O. A political subdivision tort claim filed against Lancaster Manor by Andrea Reshen as trustee on behalf of Edna Marie Block, in the amount of \$841, for lost property.

MOTION: Workman moved and Heier seconded to accept the Director's recommendation and deny the tort claim filed against Lancaster Manor by Andrea Reshen. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

- 6) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lancaster Manor's Monthly Report.
2. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for May, 2001.
3. Noxious Weed Control Authority's Monthly Report for May, 2001.
4. Register of Deed's Monthly Report for May, 2001.
5. Sheriff's Report of Fees for May, 2001.
6. Nebraska Department of Economic Development's Annual Report for 2000.
7. Records & Information Management Monthly Report for May, 2001.

B. Setting of a public hearing for Tuesday, June 26, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager from Jean J. Baney in connection with a liquor license for Whitehead Inc. d/b/a U-Stop Convenience Shop located at 6600 North 84th Street in Lancaster County, Nebraska.

C. Leasehold contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Rhonda S. Tisdale, in the amount of \$233.50, at Southwest 27th Street and Saltillo Road; Project C.P.-O-160. (C-01-282)
- ▶ Jerry Nicholls, in the amount of \$10, at Northwest 40th Street and Bluff Road; Project C.P.-F-260. (C-01-284)
- ▶ Ron Trouba, in the amount of \$10, at Spur-W and Old Cheney Road; Project C.P.N-108. (C-01-287)
- ▶ David Nelson, in the amount of \$10, at Northwest 98th Street and West Waverly Road; Project C.P.-E-444. (C-01-293)

6) CONSENT ITEMS CONTINUED:

D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ William and Jolene Hokanson at Spur W and Old Cheney Road; Project C.P.-N-108. This is a donation. (C-01-292)
- ▶ Marjorie Jean and Arthur D. Witkowski at South 25th Street and Olive Creek Road; Project C.P.-W-141. This is a donation. (C-01-281)
- ▶ Dennis and Lynn Fiedler at Southwest 27th Street and Saltillo Road; Project C.P.-O-160. This is a donation. (C-01-280)
- ▶ Mary H. Porter, Trustee at South 134th Street and Stagecoach Road; Project C.P.-R-80. This is a donation. (C-01-283)
- ▶ Coleen Krcmarik, in the amount of \$65.80, at Northwest 40th Street and Bluff Road; Project C.P.-F-260. (C-01-285)
- ▶ Roy and Karen Brouwer at Northwest 48th Street and West Raymond Road; Project C.P.-C-73. This is a donation. (C-01-289)
- ▶ Wesley, Larry & Casper Hornung and Marlene Donahue at North 1st Street and West Raymond Road; Project C.P.-C-319. This is a donation. (C-01-288)

MOTION: Heier moved and Workman seconded approval of the Consent Items. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

7) ADJOURNMENT

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk